

REMARKS

Claims 1-13 are pending in the application. Claims 12 and 13 have been canceled without prejudice. New claims 14-30 are hereby submitted. A fee for eight claims above a number of twenty and one independent claim above a number of three is enclosed to the present amendment.

Amendments to the claims

Claims 1-10 have been amended. Claim 11 has been rewritten in independent form. Claims 14-30 have been added. New claims 14-17 and 18 depend on claim 11 and recite features from claims 3-6 and 10.

New independent claim 19 recites features from cancelled claim 12. New claims 20-24 depend on claim 19 and recite features from claims 3-6 and 10.

New independent claim 25 recites features from cancelled claim 13. New claims 26-30 depend on claim 25 and recite features from claims 3-6 and 10.

No new matter has been added.

Claims 1-11 rejection under 35 USC 101

Claims 1-11 stand rejected as being directed to non statutory matter. Amended claims 1-10 are now directed to "a computer readable memory". Amended claim 11 is now directed to "an apparatus for generating an electronic certificate, the apparatus comprising: a data handling arrangement [...] and a signature arrangement [...]". The Applicant submits that amended claims 1-11 are now directed to statutory matter.

Claims 1-11 rejection under 35 USC 112, first and second paragraph

Claims 1-11 stand rejected as reciting subject matter that was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention, and as being indefinite. The Applicant submits that the amendments to claims 1-11 render this rejection moot.

Claims 10-11 objection under 37 CFR1.75(c)

Claims 10-11 stand rejected as being in improper form. The Applicant respectfully submits that the Examiner has overlooked the preliminary amendment filed on December 7, 2000 with regards to the present application, wherein claims 9-11 had been amended so that they were no longer multiply dependent. The Applicant submits that claims 1-11 as currently pending are in proper form.

Claims 10-11 attempt to recite an apparatus form

In section 9 of the Office Action, the Examiner cautions that an apparatus claim must distinguish over the prior art in terms of structure rather than function. The Applicant submits that claims 10-11 as amended are in proper form.

Claims 1-9 rejection under 35 USC 102

Claims 1-9 stand rejected as being anticipated by Ginter (U.S. 6658568 or '568). The Applicant respectfully disagrees.

Ginter discloses nothing beyond electronics certificates that may comprise "an expiration field 560(3) specifying when the digital certificate expires" (column 84, line 11). Such expiry date of the certificate is clearly distinct from "a condition requiring that a particular subject must have a particular attribute" as recited in claim 1. There is nothing in Ginter that could be understood as teaching the inclusion in a certificate of requirements that must be satisfied by the receiver of the certificate (i.e. the certificate subject). The certificates of Ginter simply contain a field that causes them to expire at a certain date, with no input from or dependence on a receiver of the certificate.

The electronic certificates of Ginter are used for certifying the attributes of a subject, for example for “certifying the consumer's identity, age, or the like” (column 18, lines 18-20). Ginter does nowhere teach nor suggest an electronic certificate validated by an attribute of a subject. Should the Examiner disagree, Applicants respectfully request him to clearly and specifically point out where Ginter discloses the claimed feature in accordance with 37 C.F.R. 1.104(c)2.

The above arguments also apply to show that Ginter fails to teach or suggest an “apparatus for generating an electronic certificate, the apparatus comprising: a data handling arrangement for assembling content data specifying an attribute delegation from an identified issuer to a certificate subject, and including a condition requiring that a particular subject must have a particular attribute in order for the delegation to be valid” as recited in claim 11, and can therefore not be deemed to render claim 11 unpatentable.

Claims 2-10 depend directly or indirectly on Claim 1. At least with regards to their dependency, claims 2-10 are patentable over Ginter.

Patentability of newly added claims

As exposed above, new claims 14-17 and 18 recite features from claims 3-6 and 10, new independent claim 19 recites features from cancelled claim 12, new claims 20-24 recite features from claims 3-6 and 10, new independent claim 25 recites features from cancelled claim 13, and new claims 26-30 recite features from claims 3-6 and 10.

New claims 14-18 depend directly or indirectly on claim 11. At least with regards to their dependency, new claims 14-18 are patentable over Ginter.

Ginter neither discloses nor suggests a reduction engine as recited in new independent claim 19 or a trust chain discovery engine as recited in new independent claim 25. The Applicant submits that newly added independent claims 19 and 25, claim 19-dependent claims 20-24 and claim 25-dependent claims 26-30 are patentable over Ginter.

References cited with regards to related patent application

The Applicant encloses a notice of references cited and an information disclosure statement regarding related patent application 09/732,954. The Applicant submits that the pending claims are patentable over these references.

* * *

The Applicant submits that all claims of the application as amended herein are in condition for allowance. Prompt issuance of a Notice of Allowance is earnestly solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 on

December 13, 2004
(Date of Deposit)

Corinda Humphrey
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